IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 3676 OF 2004

IN

FIRST APPEAL STAMP NO. 15149 OF 2002

Union of India ..Appellants

versus

Vidyadhar Dubey ..Respondent

Mr. A. N. Samant for the Appellants.

Mr. C. M. Jha for the Respondent.

CORAM : D. G. DESHPANDE,J.

DATE : 17TH OCTOBER,2005

P.C. :

1. Heard counsel for the Appellants and the Respondent.

2. Civil Application No. 3676 of 2004 is for condonation of delay of 6 days in filing the Appeal. By consent, delay is condoned. Civil Application for condonation of delay, is allowed and disposed of.

3. A short question is involved and raised in this matter which can be decided finally at the

stage of admission itself. Admit.

4. Learned Counsel for the appellants contended that the interest should be made payable from the date of the order till the date of deposit. To this suggestion, there is no objection. Therefore, I pass the following order:

ORDER

. Appeal is partly allowed.

. Impugned judgment is modified to the extent that the appellants to pay interest from the date of the order till the date of deposit. No order as to costs.

. Appeal disposed of accordingly with Civil Applications.

17.10.2005 (D.G. DESHPANDE, J.)